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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,018	04/23/2001	Ranjit Sahota	004572.P004	5829

7590 03/31/2005

Sang Hui Michael Kim  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/841,018	<b>Applicant(s)</b> SAHOTA ET AL.	
	<b>Examiner</b> KIEU-OANH T BUI	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1&amp;2</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Gordon et al. (U.S. Patent No. 6,584,153 B1).

Regarding claim 1, Gordon discloses “a system comprising: a display; and a receiver to receive a broadcast and an interactive channel bug, the interactive channel bug to facilitate interactivity, and to provide the broadcast and the interactive channel bug to the display”, i.e., a display 100 as shown in Figure 1 and a receiver as shown in Figure 2 for receiving interactive broadcasting services from a broadcaster, and the display further provides an interactive channel barker as other icons as object 110 and object 115 regarding as interactive channel bug to display to the viewer for interactivity (col. 3/lines 25-53 & col. 7/lines 1-27).

As for claims 2-3, Gordon further discloses “wherein the interactive channel bug is a graphical object” (Fig. 1, item 120 provides a graphical object, col. 7/lines 15-27) and “wherein the graphical object includes an interactive broadcast channel branding logo” (Fig. 1/item 115 for a branding logo, col. 7/lines 1-14).

As for claims 4-5, Gordon shows “wherein the receiver selectively causes the interactive channel bug to appear or morph” and “wherein the interactive channel bug is a launching point for interactive services”, i.e., selecting these icons will cause to appear the display of the interactive session for browsing/buying products and services (col. 7/lines 1-27).

As for claim 6, Gordon discloses “wherein the interactive channel bug launches a functionality determined by a broadcaster or network operator, the functionality capable of changing over time”, i.e., the network changes to provide the icons over time based on the request or interest of the user, col. 3/lines 35-64, and col. 13/line 42 to col. 14/line 67 for further details on other services).

As for claim 7, Gordon discloses “wherein the form of the interactive channel bug is to change to indicate the availability of new interactive services” (Fig. 3/item 318 as an overlay object can be modified as a new interactive service is available, see col. 9/lines 8-26).

As for claim 8, Gordon discloses “wherein a changed form of the interactive channel bug indicates the availability of interactive services associated with the broadcast” and “wherein a changed form of the interactive channel bug indicates the availability of interactive services associated with a purchase of products or services” (Fig. 3, and col. 7/line 39 to col. 8/line 58 for the interactive sessions provided from the broadcaster related to products and services).

Regarding claims 10-17 of “a method for a display system comprising: receiving a broadcast and an interactive channel bug or interactive channel bug trigger, or interactive channel bug trigger, the interactive channel bug to facilitate interactivity; and providing the broadcast and interactive channel bug to the display system”; claims 18-25 of “a machine-readable medium providing instructions, which if executed by a processor, causes the processor

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to perform an operation comprising: receiving a broadcast and an interactive channel bug or interactive channel bug trigger, the interactive channel bug or trigger to facilitate interactivity; and providing the broadcast and interactive channel bug to the display system”; and claims 26-28 of “a method for providing interactive content comprising: capturing and analyzing a video stream to locate a broadcast bug; determining a position of the standard non-interactive broadcast bug; aligning an interactive bug over the broadcast bug; and displaying the interactive bug over the broadcast bug within the video stream” (col. 4/lines 25 to col. 5/line 27 for interactive video streaming addressed), these claims with same limitations are rejected for the reasons given in the scope of claims 1-9 as discussed in details above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gordon et al (US Patent Pub 2004/0133910 A1) and Bruck et al (US Patent 6,008,836) discloses video interactive services and overlay icons displaying.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9306, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).*

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (571) 272-7294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

KB  
March 23, 2005

A handwritten signature in black ink, appearing to read 'K. Bui', with a stylized flourish extending to the right.

Krista Bui  
Primary Examiner  
Art Unit 2611